

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION



Civil Action No. _____

(To be supplied by the court)

CV17-3040-ODW (FFMx)

WALTER LEE WILLIAMS

_____, Plaintiff,

v.

UNITED STATES OF AMERICA,

et al.,

_____, Defendant(s).

**PRISONER'S MOTION AND AFFIDAVIT
FOR LEAVE TO PROCEED PURSUANT TO 28 U.S.C. § 1915**

I request leave to commence this civil action without prepayment of fees or security therefor pursuant to 28 U.S.C. § 1915. In support of my request, I declare that:

1. I am unable to pay such fees or give security therefor.
2. I am entitled to redress.
3. The nature of this action is:

See Page 1a.

Paragraph 3 - Continued from Page 1:

This is a Civil Rights Action where Plaintiff seeks damages and injunctive relief alleging excessive use of force and the denial of immediate appropriate medical care in violation of the Eighth Amendment to the United States Constitution; and denial of Equal Protection in violation of the Fifth Amendment to the Constitution of the United States. The Plaintiff also alleges the torts of assault and battery, and that of negligence.

The contents of Plaintiff's Verified Complaint and Verified Affidavit are incorporated by reference as if fully set forth herein.

Plaintiff was arrested on June 17, 2013. Subsequent to arrest, Plaintiff was incarcerated at the Metropolitan Detention Center, Los Angeles, California ("MDCLA").

During the period of incarceration at MDCLA, Plaintiff was subjected to excessive use of force and denied immediate and appropriate medical care by MDCLA medical staff in violation of the Eighth Amendment; and Plaintiff was denied Equal Protection in violation of the Fifth Amendment. Other violations of Constitutional rights occurred, as articulated throughout the attached Verified Complaint and the Verified Affidavit.

Plaintiff was subjected to medical neglect and cruel and unusual punishment resulting from the actions and/or inactions of the herein listed Defendant(s). The medical neglect Plaintiff suffered placed him in danger of the risk of the loss of his life. MDCLA staff (the herein listed Federal Defendant(s)) failed to protect Plaintiff from great bodily harm from Defendant inmate Omar Kevir.

Facts, circumstances, and specific details of the claims alleged in this Complaint are clearly articulated within Plaintiff's Verified Complaint and Verified Affidavit.

Plaintiff demands a Jury Trial. Plaintiff also seeks FTCA relief last.

4. My assets and their value are listed below: (attach an additional page if necessary)

(Assets may include income from employment, rent payments, interest or dividends, pensions, annuities, life insurance payments, Social Security, Veteran's Administration benefits, disability pensions, Worker's Compensation, unemployment benefits, gifts or inheritances, cash, funds in bank accounts, real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing), or any other source of income.)

See Page 2a.

5. Are you in imminent danger of serious physical injury?

☒ Yes ☐ No (CHECK ONE). If you answered yes, briefly explain your answer:

See Page 2b.

6. I have attached to this motion a signed authorization directing my custodian to calculate and disburse funds from my inmate trust fund account or institutional equivalent to pay the required filing fee.
7. I have attached to this motion a certificate from the appropriate official at each penal institution in which I have been confined during the six-month period immediately preceding the filing of this action and a certified copy of my inmate trust fund account statement for the same six-month period.

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that the information in this motion and affidavit is true and correct. See 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Executed on

APRIL 17, 2017
(Date)

Walter L. Williams

Walter L. Williams

(Prisoner's Original Signature)

Paragraph 4 - Continued from Page 2:

Assets:

Plaintiff currently does not work at FCI - Englewood.

Rental Property - House - \$2,000.00 per month, out of which insurance taxes, lawn care, and maintenance are paid. This money is also used to supplement my mother, whom is 89 years old.

Real Estate - house located at 2319 Portland Street, Los Angeles, CA 90009.

IRA - amount unknown

Paragraph 5 - Continued from Page 2:

I am in fear of injury due to the threat of FCI - Englewood to take away my ambulatory walker. If they do take away my walker, I will be in great risk of falling again, and potentially breking my left femur again. Furthermore, due to lack of proper medical treatment for my eyes here at FCI - Englewood, I fear losing my eyesight.

AUTHORIZATION

I, **WALTER LEE WILLIAMS**, request and authorize the agency holding me in custody to calculate and disburse funds from my inmate trust fund account or institutional equivalent in the amounts specified by 28 U.S.C. § 1915(b). This authorization is furnished in connection with this civil action and I understand that the total filing fee of \$350.00 is due and will be paid from my inmate trust fund account or institutional equivalent regardless of the outcome of this case.

Prisoner Name (please print): Walter L. Williams

Prisoner Signature: Walter L. Williams

CERTIFICATE OF PRISON OFFICIAL

I certify that the attached statement is an accurate copy of the inmate trust fund account statement or institutional equivalent for the past six months for the prisoner named below.

Prisoner's Name: _____

Signature of Authorized Prison Official: _____

Date: _____

Please see attached Statement of Trust Fund Account for Certificate of Prison Official.

Date: 04/12/2017
Time: 7:16:22 AM

Facility: ENG

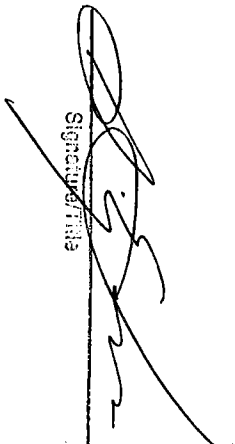
Federal Bureau of Prisons
TRUFACS

Inmate Statement
Sensitive But Unclassified

Start Date: 10/12/2016
End Date: 04/12/2017
Inmate Reg#: 65562112
Account Status: All
Institution: Englewood FCI

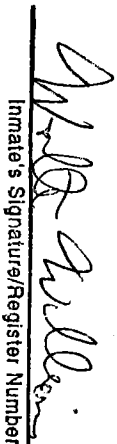
S. Engstrom, an employee of the Federal Correctional Institution Englewood, Colorado, certify that this commissary
account statement dated 4/12/17, consisting of 3 pages, is a true and correct description of inmate Williams,
Walter, register number 65562-112 prison commissary account activity over the past 6
months

Date 4/12/17


Signature
TF-5

RECEIVED ON:

Date 4/12/17


Inmate's Signature/Register Number 65562-112

Date: 04/12/2017
Time: 7:16:22 AM

Federal Bureau of Prisons
TRUFACS

Facility: ENG

Inmate Statement
Sensitive But Unclassified

General Information

Inmate Reg#: 65562112
Inmate Name: WILLIAMS, WALTER LEE
Current Site Name: Englewood FCI
Housing Unit: ENG-W-1
Living Quarter: W04-055L
Arrived From: OKL
Transferred To:
Account Creation Date: 6/20/2013

Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
ENG	12/17/2016 03:26:16 AM	TX121716			Transfer - In from TRUFACS	\$814.19		\$814.19
ENG	12/18/2016 09:40:02 AM	TFN1218			Phone Withdrawal	(\$80.00)		\$734.19
ENG	12/19/2016 07:40:30 AM	28			Sales	(\$113.65)		\$620.54
ENG	12/20/2016 06:47:00 AM	14			Sales	(\$12.95)		\$607.59
ENG	12/29/2016 07:52:53 AM	44			Sales	(\$70.45)		\$537.14
ENG	01/01/2017 11:16:33 AM	TFN0101			Phone Withdrawal	(\$40.00)		\$497.14
ENG	01/05/2017 11:49:25 AM	83			Sales	(\$30.10)		\$467.04
ENG	01/18/2017 11:31:02 AM	94			Sales	(\$81.05)		\$385.99
ENG	01/28/2017 08:50:48 PM	TFN0128			Phone Withdrawal	(\$80.00)		\$305.99
ENG	01/30/2017 12:03:23 PM	113			Sales	(\$101.95)		\$204.04
ENG	02/03/2017 06:14:39 PM	TFN0203			Phone Withdrawal	(\$10.00)		\$194.04
ENG	02/11/2017 03:10:05 PM	TFN0211			Phone Withdrawal	(\$10.00)		\$184.04
ENG	02/14/2017 12:30:10 PM	217			Sales	(\$83.75)		\$100.29
ENG	02/14/2017 12:36:16 PM	218			Sales	(\$13.00)		\$87.29
ENG	02/14/2017 06:07:15 PM	TFN0214			Phone Withdrawal	(\$20.00)		\$67.29
ENG	02/19/2017 01:07:30 PM	70127701			Lockbox - CD	\$400.00		\$467.29
ENG	02/19/2017 01:07:32 PM	70127701			Lockbox - CD	\$100.00		\$567.29
ENG	02/20/2017 12:30:34 PM	TFN0220			Phone Withdrawal	(\$90.00)		\$477.29
ENG	02/22/2017 11:43:17 AM	118			Sales	(\$25.55)		\$451.74
ENG	03/06/2017 11:34:58 AM	103			Sales	(\$6.00)		\$445.74
ENG	03/10/2017 05:01:14 AM	70129101			Lockbox - CD	\$500.00		\$945.74
ENG	03/20/2017 11:04:41 AM	95			Sales	(\$125.60)		\$820.14
ENG	03/22/2017 07:55:12 AM	29			Sales	(\$25.70)		\$794.44
ENG	03/27/2017 08:09:02 AM	79			Sales	(\$81.05)		\$713.39

Date: 04/12/2017
Time: 7:16:22 AM

Federal Bureau of Prisons
TRUFACS

Facility: ENG

Inmate Statement
Sensitive But Unclassified

General Information

Inmate Reg#: 65562112
Inmate Name: WILLIAMS, WALTER LEE
Current Site Name: Englewood FCI
Housing Unit: ENG-W-L
Living Quarter: W04-055L
Arrived From: OKL
Transferred To:
Account Creation Date: 6/20/2013

Transaction Details

Alpha Code	Date Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
ENG	03/28/2017 03:01:22 PM	TFN0328			Phone Withdrawal	(\$80.00)		\$633.39
ENG	03/30/2017 11:47:03 AM	125			Sales	(\$101.05)		\$532.34
ENG	03/30/2017 11:47:57 AM	126			Sales	(\$0.60)		\$531.74
ENG	04/10/2017 12:03:19 PM	101			Sales	(\$16.20)		\$515.54
Total Count:		28			Totals:	\$515.54	\$0.00	

Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
ENG	\$515.54	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$515.54
Totals:	\$515.54	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$515.54

Other Balances

National 6 Months Deposits	National 6 Months Withdrawals	National 6 Months Avg Daily Balance	Local Max. Balance -Prev. 30 Days	Average Balance-Prev. 30 Days	Commissionary Restriction Start Date	Commissionary Restriction End Date
\$2,000.00	\$1,837.40	\$461.03	\$945.74	\$694.73	N/A	N/A